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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, JULY 26, 2000

APPLICATION OF

MAXCESS OF VIRGINIA, INC.

CASE NO. PUC000127

For certificates of public
convenience and necessity to
provide facilities-based and resold
local exchange and interexchange
telecommunications services

FINAL ORDER

On April 21, 2000, Maxcess of Virginia, Inc. ("Maxcess" or the "Company"), filed an application for certificates of public convenience and necessity with the State Corporation Commission ("Commission") to provide local exchange and interexchange telecommunications services throughout the Commonwealth of Virginia. Maxcess also requested authority to price its interexchange services on a competitive basis pursuant to § 56-481.1 of the Code of Virginia.

By Order dated May 5, 2000, the Commission directed the Company to provide notice to the public of its application, directed the Commission Staff to conduct an investigation and file a Staff Report, and scheduled a public hearing to receive evidence relevant to Maxcess' application.

On June 23, 2000, the Staff filed its Report finding that Maxcess' application was in compliance with the Rules Governing the Offering of Competitive Local Exchange Telephone Service ("Local Rules") and the Rules Governing the Certification of Interexchange Carriers ("IXC Rules"). Based upon its review of Maxcess' application, the Staff determined it would be appropriate to grant the Applicant certificates to provide local exchange and interexchange telecommunications services subject to the following conditions: (1) any customer deposits collected by the Company shall be retained in an unaffiliated third-party escrow account until such time as the Staff or Commission determines it is no longer necessary; and (2) the Company shall provide audited financial statements of its parent, Maxcess, Inc., to the Division of Economics and Finance no later than one (1) year from the effective date of its initial tariff.

A hearing was conducted on July 12, 2000. Maxcess filed proof of publication and proof of service as required by the May 5, 2000, Order. At the hearing, the application and accompanying attachments and the Staff Report were entered into the record without objection.

NOW THE COMMISSION, having considered the application and the Staff Report, finds that Maxcess should be granted certificates to provide local exchange and interexchange

telecommunications services. Having considered § 56-481.1, the Commission further finds that Maxcess may price its interexchange services competitively.

Accordingly, IT IS ORDERED THAT:

(1) Maxcess of Virginia, Inc., is hereby granted a certificate of public convenience and necessity, No. TT103A, to provide interexchange services subject to the restrictions set forth in the Commission's Rules Governing the Certification of Interexchange Carriers, § 56-265.4:4 of the Code of Virginia, and the provisions of this Order.

(2) Maxcess of Virginia, Inc., is hereby granted a certificate of public convenience and necessity, No. T-499, to provide local exchange telecommunications services subject to the restrictions set forth in the Rules Governing the Offering of Competitive Local Exchange Telephone Service, § 56-265.4:4 of the Code of Virginia, and the provisions of this Order.

(3) Should Maxcess collect customer deposits, it shall establish and maintain an escrow account, held by an unaffiliated third-party, to hold such funds, and shall notify the Division of Economics and Finance of the escrow arrangement. Any escrow arrangement established pursuant to this Order shall be maintained for such time as the Staff or Commission determines it is necessary.

(4) Maxcess shall provide tariffs to the Division of Communications that conform to all applicable Commission rules and regulations.

(5) Maxcess shall provide audited financial statements of its parent, Maxcess, Inc., to the Division of Economics and Finance, no later than one (1) year from the effective date of Maxcess' initial tariff.

(6) Pursuant to § 56-481.1 of the Code of Virginia, Maxcess may price its interexchange services competitively.

(7) There being nothing further to come before the Commission, this case shall be dismissed and the papers filed herein placed in the file for ended causes.